

REMARKS

A. Status of the Claims

Claims 1-9, 12-14, 16-24, 27-29, 31-44, 46-48 and 50-52 are currently pending in this application. Applicants note, with appreciation, that the Examiner has apparently rejoined the previously withdrawn claims. Applicants therefore understand that all of the currently pending claims are under consideration.

Independent claims 1 and 16 have been amended to correct the typographical error noted by the Examiner. Specifically, the Examiner noted that the valence of the central nitrogen in the recited formula, -CO-(CH₂)_η-N-(CH₂)_ω-CO-, was deficient. Applicants thank the Examiner for bringing this error to their attention, and have amended the claims to expressly indicate an additional chemical bond on that nitrogen, which connects to the "Y" substituent of the spacer moiety recited in those claims. No new matter has been introduced.

B. The Terminal Disclaimers

The PTO has rejected the terminal disclaimers filed with Applicants' "Amendment in Response to Non-Final Office Action" on March 1, 2010. In particular, the Office Action states that the individual who signed those terminal disclaimers had not been established as an attorney of record and was not recognized as an authorized officer of the assignee. In response, new terminal disclaimers are submitted with this Response, disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent Nos. 7,084,245; 7,414,105 and 7,528,104 (accept as provided for in the terminal disclaimers). These new terminal disclaimers are signed by Applicants' undersigned representative, who has been established as an attorney of record by virtue of the "Combined Revocation and New Power of Attorney and Statement Under 37 C.F.R. 3.73(b)" signed by the assignee and filed on August 24, 2010 in connection with this application. It is therefore believed that the new terminal disclaimers are fully compliant with the signatory requirements of 37 C.F.R. § 1.321(b)(1)(iv). Applicants respectfully request their acceptance by the PTO.

C. The Objection to the Claims Has Been Obviated

The Examiner has objected to independent claims 1 and 16 because of an informality in the chemical formula, -CO-(CH₂) η -N-(CH₂) ϕ -CO-, recited in those claims. Specifically, the Office Action notes that the valence of the central nitrogen in that formula is deficient. Applicants thank the Examiner for bringing this typographical error to their attention, and have amended the claims to correct the nitrogen atom's valence state. Accordingly, it is believed that the objections to these claims have now been obviated, and Applicants respectfully request that they be withdrawn.

D. The Rejections for Double Patenting

The Examiner has maintained the previous rejections for obviousness-type double patenting over U.S. Patent Nos. 7,084,245; 7,414,105; and 7,528,104. As discussed in detail above, new terminal disclaimers are submitted with this response that disclaim the terminal portion of any patent granted on this application which would extend beyond the expiration date of those cited prior patents (accept as specifically provided for in the terminal disclaimer documents). The new terminal disclaimers comply with the signatory requirements of 37 C.F.R. § 1.321(b)(1)(iv), and are therefore believed to obviate the rejections for obviousness-type double patenting. Accordingly, Applicants respectfully request that the rejections be withdrawn.

E. Conclusion:

In view of the foregoing, Applicants respectfully submit that each basis for objection and rejection has been overcome and/or obviated, and that this application is now in condition for allowance. Accordingly, entry of the foregoing amendments, acceptance of the accompanying terminal disclaimers, withdrawal of all objections and rejections, and allowance of this application are all respectfully requested. The Examiner is invited to contact Applicants' undersigned representative should he believe that there are any remaining issues that could be resolved, e.g., in a Supplemental Response or by an Examiner's Amendment. An allowance is earnestly sought

Respectfully submitted,

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/Samuel S. Woodley/

Samuel S. Woodley, Ph.D. (Reg. No. 43,287)
Fish & Richardson P.C.
(PTO Customer No. 26211)
P.O. Box 1022
Minneapolis, MN 55440-1022
Tel. (212) 765-5070
Fax (877) 769-7945
E-mail APSI@FR.COM
Attorneys/Agents for Applicant